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101 Federal Street Boston, MA 02110 617.439.4444 fax 617.439.4170
www.EdwardsAngell.com

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From : John B. Alexander, Ph.D. Fax : (617) 439-4170 Direct : (617) 517-5555
To : Group 1600
U.S. Trademark & Patent Office Fax : (703) 872-9306 Direct :

Pages : 24

(including cover sheet)

If you received a partial delivery, please call Michelle P. Chicos at (617) 517-5551.

Re :

Enclosed please find an Amendment in connection with U.S. Serial No. 09/871,602.

Please do not hesitate to contact me if you have any questions, or if I can be of any further assistance at this time.

Best Regards,

John B. Alexander, Ph.D.

JBA:mpc

Fax

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PAGE 1/24 * RCVD AT 3/31/2004 4:28:15 PM [Eastern Standard Time] * SVR:USPTO-EFAXF-1/3 * DNIS:8729306 * CSID:617 439 4170 * DURATION (mm-ss):05-44

Docket No. 55771 (71699)

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

APPLICANT: K. Leong, et al.

EXAMINER: R. Akhavan

SERIAL NO. 09/871,602

GROUP: 1636

FILED: May 31, 2001

FOR: BIOLOGICALLY USEFUL POLYPHOSPHATES

OFFICIAL**RECEIVED
CENTRAL FAX CENTER****MAR 31 2004**Commissioner for Patents
P.O. Box 1450
Alexandria, VA 22313-1450

AMENDMENT TRANSMITTAL

1. Transmitted herewith is a Request for Reconsideration for this application.

STATUS

2. Applicant is
☐ a small entity. A statement:
☐ is attached.
☐ was already filed.
☒ other than a small entity.

EXTENSION OF TERM

CERTIFICATE OF MAILING/TRANSMISSION (37 C.F.R. SECTION 1.8(a))

I hereby certify that, on the date shown below, this correspondence is being:

MAILING

- ☐ deposited with the United States Postal Service with sufficient postage by First Class Mail, in an envelope addressed to the Commissioner for Patents, Alexandria, VA 22313-1450.

FACSIMILE

- ☒ transmitted by facsimile to Technology Center 1600 at the Patent and Trademark Office at (703) 872 9306.

Date March 31, 2004

Signature

Michelle P. Chicos

(type or print name of person certifying)

(Amendment Transmittal--page 1 of 4)

NOTE: "Extension of Time in Patent Cases (Supplement Amendments) -- If a timely and complete response has been filed after a Non-Final Office Action, an extension of time is not required to permit filing and/or entry of an additional amendment after expiration of the shortened statutory period.

If a timely response has been filed after a Final Office Action, an extension of time is required to permit filing and/or entry of a Notice of Appeal or filing and/or entry of an additional amendment after expiration of the shortened statutory period unless the timely-filed response placed the application in condition for allowance. Of course, if a Notice of Appeal has been filed within the shortened statutory period, the period has ceased to run." Notice of December 10, 1985 (1061 O.G. 34-35).

NOTE: See 37 C.F.R. Section 1.645 for extensions of time in interference proceedings, and 37 C.F.R. Section 1.550(c) for extensions of time in reexamination proceedings.

3. The proceedings herein are for a patent application and the provisions of 37 C.F.R. Section 1.136 apply.

(complete (a) or (b), as applicable)

- (a) ☐ Applicant petitions for an extension of time under 37 C.F.R. Section 1.136 (fees: 37 C.F.R. Section 1.17(a)(1)-(4)) for the total number of months checked below:

	Extension (months)	Fee for other than small entity	Fee for small entity
<input type="checkbox"/>	one month	\$ 110.00	\$ 55.00
<input type="checkbox"/>	two months	\$ 420.00	\$ 210.00
<input type="checkbox"/>	three months	\$ 950.00	\$ 475.00
<input type="checkbox"/>	four months	\$ 1,480.00	\$ 740.00

Fee: \$ _____

If an additional extension of time is required, please consider this a petition therefor.

(check and complete the next item, if applicable)

- ☐ An extension for _____ months has already been secured. The fee paid therefor of \$ _____ is deducted from the total fee due for the total months of extension now requested.

Extension fee due with this request \$ 0.00

OR

- (b) ☒ Applicant believes that no extension of term is required. However, this conditional petition is being made to provide for the possibility that applicant has inadvertently overlooked the need for a petition for extension of time.

(Amendment Transmittal--page 2 of 4)

FEE FOR CLAIMS

4. The fee for claims (37 C.F.R. Section 1.16(b)-(d)) has been calculated as shown below

(Col.1)	(Col. 2)	SMALL ENTITY			OR	OTHER THAN A SMALL ENTITY	
Claims Remaining After Amendment	Highest No. Previously Paid For	Present Extra	Rate	Addit. Fee		Rate	Addit. Fee
		0	\$9.00	\$0.00		\$18.00	\$0.00
Independent Claims		0	\$42.00	\$0.00		\$84.00	\$0.00
First Presentation of Multiple Dependent Claim+			\$140.00	\$0.00		\$280.00	\$0.00
						Total Addit. Fee	\$0.00

* If the entry in Col. 1 is less than the entry in Col. 2, write "0" in Col. 3.

** If the "Highest No. Previously Paid For" IN THIS SPACE is less than 20, enter "20".

*** If the "Highest No. Previously Paid For" IN THIS SPACE is less than 3, enter "3".

The "Highest No. Previously Paid For" (Total or Indep.) is the highest number found in the appropriate box in Col. 1 of a prior amendment or the number of claims originally filed.

WARNING: "After final rejection or action (Section 1.113) amendments may be made canceling claims or complying with any requirement of form which has been made." 37 C.F.R. Section 1.116(a) (emphasis added).

(complete (c) or (d), as applicable)

(c) ☒ No additional fee for claims is required.

OR

(d) ☐ Total additional fee for claims required \$ _____

FEE PAYMENT

5. ☐ Attached is a check in the sum of \$ _____.
☐ Charge Account No. _____ the sum of \$ _____.
 A duplicate of this transmittal is attached.

(Amendment Transmittal—page 3 of 4)

FEE DEFICIENCY

NOTE: *If there is a fee deficiency and there is no authorization to charge an account, additional fees are necessary to cover the additional time consumed in making up the original deficiency. If the maximum, six-month period has expired before the deficiency is noted and corrected, the application is held abandoned. In those instances where authorization to charge is included, processing delays are encountered in returning the papers to the PTO Finance Branch in order to apply these charges prior to action on the cases. Authorization to charge the deposit account for any fee deficiency should be checked. See the Notice of April 7, 1986. (1065 O.G. 31-33).*

6. ☒ If any additional extension and/or fee is required, charge Account No. 04-1105.

AND/OR

- ☒ If any additional fee for claims is required, charge Account No. 04-1105.

March 31, 2004


SIGNATURE OF PRACTITIONER

John B. Alexander, Ph.D. (Reg. No. 48,399)
(type or print name of practitioner)

EDWARDS & ANGELL, LLP
Intellectual Property Group
P.O. Box 55874
Boston, MA 02205
Tel. No. (617) 439-4444

Customer No. 21874

BOS2_439738.1

(Amendment Transmittal—page 4 of 4)

Docket No. 55771 (71699)

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

APPLICANT: K. Leong, et al
SERIAL NO: 09/871,602 EXAMINER: R. Akhavan
FILED: May 31, 2001 GROUP: 1636
FOR: BIODEGRADABLE POLYPHOSPHOESTER MICEILLES FOR GENE
DELIVERY

Mail Stop: Amendment
Commissioner for Patents
P.O. Box 1450
Alexandria, VA 22313-1450

Sir:

AMENDMENT

Applicants are in receipt of the Office Action dated January 2, 2004 and request reconsideration of the above-identified application in view of the following amendments and remarks. Please amend the above-identified application as follows:

Amendments to the Specification begin on page 2 of this paper.

Amendments to the Claims are reflected in the listing of claims which begins on page 3 of this paper.

Remarks/Arguments begin on page 17 of this paper.